

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

BID FOR POSITION, LLC,

Plaintiff,

v.

AOL, LLC, GOOGLE, INC., MICROSOFT  
CORP., and MIVA, INC.,

Defendants.

**CASE NO. 2:07-cv-582 JBF/TEM**

**SUPPLEMENTAL DECLARATION OF ANTONIO R. SISTOS**

I, Antonio R. Sistos, declare and state as follows:

1. I am attorney associated with the law firm Quinn Emanuel Urquhart Oliver & Hedges, LLP and represent the defendant Google, Inc. ("GOOGLE") in this action.
2. Attached hereto as Exhibit 10 is a true and accurate copy of an excerpt from *Webster's Third New International Dictionary* (1993), including the definitions of the words "ascertain," "dependent," and "verify."

I hereby affirm, under the penalty of perjury of the laws of the United States, that the foregoing states are true and correct.

Dated: June 2, 2008

  
Antonio R. Sistos

Respectfully submitted,

/s/

Stephen E. Noona  
VSB No. 25367  
KAUFMAN & CANOLES, P.C.  
150 West Main Street, Suite 2100  
Norfolk, VA 23510  
Telephone: (757) 624-3000  
Facsimile: (757) 624-3169  
[senoona@kaufcan.com](mailto:senoona@kaufcan.com)

Charles K. Verhoeven, *pro hac vice*  
David A. Perlson, *pro hac vice*  
Emily C. O'Brien, *pro hac vice*  
Antonio R. Sistos, *pro hac vice*  
Katherine H. Bennett, *pro hac vice*  
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
Telephone: (415) 875-6600  
Facsimile: (415) 875-6700  
[charlesverhoeven@quinnmanuel.com](mailto:charlesverhoeven@quinnmanuel.com)  
[davidperlson@quinnmanuel.com](mailto:davidperlson@quinnmanuel.com)  
[emilyobrien@quinnmanuel.com](mailto:emilyobrien@quinnmanuel.com)  
[antoniosistos@quinnmanuel.com](mailto:antoniosistos@quinnmanuel.com)  
[katherinebennett@quinnmanuel.com](mailto:katherinebennett@quinnmanuel.com)

Thomas D. Pease, *pro hac vice*  
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
Telephone: (212) 849-7000  
Facsimile: (212) 849-7100  
[thomaspease@quinnmanuel.com](mailto:thomaspease@quinnmanuel.com)

*Counsel for Defendant Google Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 2, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

**Counsel for Plaintiff Bid for Position, LLC**

Craig T. Merritt (VSB No. 20281)  
R. Braxton Hill, IV (VSB No. 41539)  
Nichole Buck Vanderslice (VSB No. 42637)  
CHRISTIAN & BARTON, LLP  
909 East Main Street, Suite 1200  
Richmond, VA 23219-3095  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112  
[cmerritt@cblaw.com](mailto:cmerritt@cblaw.com)  
[bhill@cblaw.com](mailto:bhill@cblaw.com)  
[nvanderslice@cblaw.com](mailto:nvanderslice@cblaw.com)

Gregory S. Dovel, *pro hac vice*  
Christin K. Cho, *pro hac vice*  
DOVEL & LUNER, LLP  
201 Santa Monica Blvd., Suite 600  
Santa Monica, CA 90401  
Telephone: (310) 656-7066  
Facsimile: (310) 656-7069  
[greg@dovellaw.com](mailto:greg@dovellaw.com)  
[christin@dovellaw.com](mailto:christin@dovellaw.com)

David E. Rosen, *pro hac vice*  
MURPHY ROSEN & MEYLAN, LLP  
100 Wilshire Blvd., Suite 1300  
Santa Monica, CA 90401  
Telephone: (310) 899-3300  
Facsimile: (310) 399-7201  
[drosen@mrmlawyers.com](mailto:drosen@mrmlawyers.com)

**Counsel for Defendant AOL LLC**

Stephen E. Noona (VSB No. 25367)  
KAUFMAN & CANOLES, P.C.  
150 West Main Street, Suite 2100  
Norfolk, VA 23510  
Telephone: (757) 624-3000  
Facsimile: (757) 624-3169  
[senoona@kaufcan.com](mailto:senoona@kaufcan.com)

John M. Williamson, *pro hac vice*  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
901 New York Avenue, NW, Suite 700  
Washington, DC 20001  
Telephone: (202) 408-4000  
Facsimile: (202) 408-4400  
[john.williamson@finnegan.com](mailto:john.williamson@finnegan.com)

Robert L. Burns, II, *pro hac vice*  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
Two Freedom Square  
11955 Freedom Drive  
Reston, VA 20190  
Telephone: (571) 203-2700  
Facsimile: (202) 408-4400  
[robert.burns@finnegan.com](mailto:robert.burns@finnegan.com)

Charles K. Verhoeven, *pro hac vice*  
David A. Perlson, *pro hac vice*  
Emily C. O'Brien, *pro hac vice*  
Antonio R. Sistos, *pro hac vice*  
Katherine H. Bennett, *pro hac vice*  
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
Telephone: (415) 875-6600  
Facsimile: (415) 875-6700  
[charlesverhoeven@quinnmanuel.com](mailto:charlesverhoeven@quinnmanuel.com)  
[davidperlson@quinnmanuel.com](mailto:davidperlson@quinnmanuel.com)  
[emilyobrien@quinnmanuel.com](mailto:emilyobrien@quinnmanuel.com)  
[antoniosistos@quinnmanuel.com](mailto:antoniosistos@quinnmanuel.com)  
[katherinebennett@quinnmanuel.com](mailto:katherinebennett@quinnmanuel.com)

Thomas D. Pease, *pro hac vice*  
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
Telephone: (212) 849-7000  
Facsimile: (212) 849-7100  
[thomaspease@quinnmanuel.com](mailto:thomaspease@quinnmanuel.com)

**Counsel for Defendant Microsoft Corporation**  
William D. Dolan, III (VSB No. 12455)  
VENABLE LLP  
8010 Towers Crescent Drive, Suite 300  
Vienna, VA 22182  
Telephone: (703) 760-1684  
Facsimile: (703) 821-8949  
[wddolan@venable.com](mailto:wddolan@venable.com)

Richard A. Cederoth, *pro hac vice*  
Laura L. Kolb, *pro hac vice*  
SIDLEY AUSTIN LLP  
1 South Dearborn Street  
Chicago, IL 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036  
[rcederoth@sidley.com](mailto:rcederoth@sidley.com)  
[lkolb@sidley.com](mailto:lkolb@sidley.com)

**Counsel for Defendant MIVA, Inc.**

Dana J. Finberg (VSB No. 34977)  
LECLAIR RYAN, PC  
Riverfront Plaza, East Tower  
951 East Byrd Street, 8<sup>th</sup> Floor  
Richmond, VA 23219  
Telephone: (804) 916-7109  
Facsimile: (804) 916-7219  
[dana.finberg@leclairryan.com](mailto:dana.finberg@leclairryan.com)

Paul D. Ackerman, *pro hac vice*  
Aasheesh Shravah, *pro hac vice*  
DORSEY & WHITNEY LLP  
250 Park Avenue  
New York, NY 10177  
Telephone: (212) 415-9200  
Facsimile: (212) 953-7201  
[ackerman.paul@dorsey.com](mailto:ackerman.paul@dorsey.com)  
[shravah.aasheesh@dorsey.com](mailto:shravah.aasheesh@dorsey.com)

/s/

---

Stephen E. Noona  
VSB No. 25367  
*Counsel for Defendant Google Inc.*  
KAUFMAN & CANOLES, P.C.  
150 West Main Street, Suite 2100  
Norfolk, VA 23510  
Telephone: (757) 624-3000  
Facsimile: (757) 624-3169  
[senoona@kaufcan.com](mailto:senoona@kaufcan.com)